

UNITED STATES DISTRICT COURT

for the

Western District of Virginia

FEB 28 2019

JULIA C. DUNLEY, CLERK
BY: 

DEPUTY CLERK

United States of America)

v.)

Travis ALTIZER)

Case No. 7:19MJ30

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 02/25/2019 in the county of Roanoke in the
Western District of Virginia, the defendant(s) violated:

Code Section

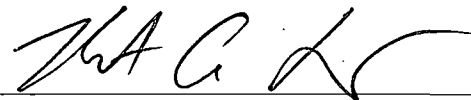
Offense Description

18 USC 922(g)(1)

Possession of a Firearm by a Convicted Felon

This criminal complaint is based on these facts:

See attached.

☒ Continued on the attached sheet.

Complainant's signature

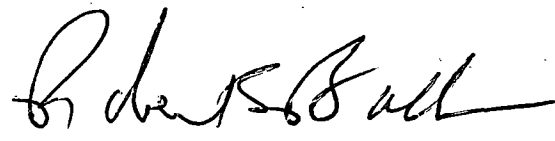
Nicholas Davis, ATF Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date:

Feb. 28, 2019



Judge's signature

City and state:

Roanoke, VA

Robert S. Ballou, United States Magistrate Judge

Printed name and title

IN THE
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

UNITED STATES OF AMERICA

v.

Travis Dustin ALTIZER

Case No.

719mJ30

AFFIDAVIT IN SUPPORT OF COMPLAINT

I, Nicholas Davis, being first duly sworn, hereby depose and state the following:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of a complaint and arrest warrant under Rules 3, 4, and 4.1 of the Federal Rules of Criminal Procedure.

2. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives, United States Department of Justice, and have been so employed since 12/29/2013. Prior to this, I graduated from Lehigh University. I am a graduate of the Federal Law Enforcement Training Center and the ATF National Academy. I have received training in various aspects of law enforcement, in particular arson, explosives, narcotics and firearms investigations. Since becoming an ATF Special Agent, I have provided sworn testimony before the Federal Grand Jury and in the United States District Court in reference to violations of the Federal Firearms and Narcotics laws.

3. As a result of my training and experience as an ATF Special Agent, I am familiar with federal criminal laws and know that it is a violation of:

18 U.S.C. § 922(g) (1) to possess a firearm after having previously been convicted of a felony.

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4. The information contained in this affidavit is based on my personal knowledge of, and involvement in, this investigation as well as other facts and information provided to me by other law enforcement officers involved in this investigation. I am thoroughly familiar with the information contained in this affidavit through personal exposure to the records and reports, and through discussions with other law enforcement personnel. The facts compromising the basis for this affidavit are true and correct to the best of my knowledge. I have not included all facts determined in the course of this investigation in this affidavit, but only those facts necessary to establish probable cause to believe that Travis Dustin ALTIZER violated the aforementioned statute.

PROBABLE CAUSE

1. On or about February 25, 2019, the United States Marshal Service (USMS) Fugitive Task Force were attempting to serve two felony warrants on Travis Dustin ALTIZER at ALTIZER's residence located at 2101 Wayne Street NE, Roanoke, Virginia.

2. The USMS knows 2101 Wayne Street NE, Roanoke, Virginia, to be the residence of ALTIZER due to prior police interactions with ALTIZER. ALTIZER's arrest warrants also listed 2101 Wayne Street NE, Roanoke, Virginia, as his known address.

3. The USMS monitored the Wayne Street location prior to approach and confirmed that subjects were inside the residence. USMS agents then knocked and announced their presence at the front door. After several announcements, a subject identified herein as Source of Information 1 (SOI#1), answered the door.

4. SOI#1 confirmed that ALTIZER was inside the back room of the residence. The USMS then directed SOI#1 and two other subjects to exit the residence.

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5. The USMS called to ALTIZER verbally, directing him to come out from the back room of the residence, but ALTIZER did not comply. The USMS entered the front room of the residence and continued to call ALTIZER out from the back room. After numerous such attempts to call ALTIZER out from the back room, ALTIZER exited the room voluntarily and surrendered to law enforcement.

6. During a search incident to arrest of ALTIZER, officers located a black leather holster on ALTIZER's right hip and several bullets in ALTIZER's pants pocket.

7. While at the residence and while still in the custody of the USMS, ALTIZER asked if there was anything he could do to make the warrants go away. A USMS Task Force Officer informed ALTIZER that the warrants had been issued and had to be served. ALTIZER then spontaneously told officers that there was a gun in his closet and that they should be careful retrieving it because it was loaded.

8. The USMS subsequently located and recovered a Smith and Wesson, model Bodyguard, .380 caliber pistol, serial number KDV1735, from the closet area as described by ALTIZER.

9. At the time of arrest, ALTIZER had a prior conviction for a federal narcotics-related offense, for which he had been sentenced to a term exceeding one year. Based on this information, the USMS contacted ATF Roanoke, which responded to 2101 Wayne Street NE, Roanoke, Virginia.

10. ALTIZER was advised of his Miranda rights and agreed to speak with ATF. During the interview, ALTIZER confirmed that the firearm was his, and further explained that he traded a stolen generator for the firearm approximately one month ago. ALTIZER stated that the holster he was wearing fit the firearm which was recovered, and that he

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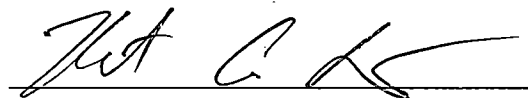
possessed the firearm for his protection. ALTIZER confirmed that he had been previously convicted of a felony offense, and that he had recently been released from supervised probation.

11. ATF Special Agent and Interstate Nexus Expert Keith Teehan, using specifications for the firearm recovered from ALTIZER's closet, determined that the Smith and Wesson, model bodyguard, .380 caliber pistol, serial number KDV1735, is a firearm as defined in the United States Code and that it necessarily has moved in and/or affected interstate commerce because it was manufactured outside the Commonwealth of Virginia.

12. All of the events described in this affidavit occurred in the Western District of Virginia.

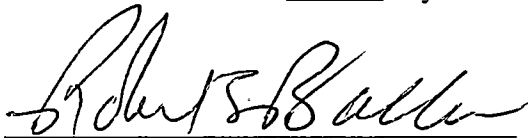
CONCLUSION

13. Based on the foregoing, your affiant asserts that there is probable cause to believe that Travis Dustin ALTIZER possessed a firearm after having been convicted of a felony, in violation of Title 18, United States Code, Section 922(g)(1), and that this violation took place in the City of Roanoke, within the Western District of Virginia.



Nicholas Davis
ATF Special Agent

Sworn before me this 28th day of February, 2019.



Robert S. Ballou
United States Magistrate Judge